

AFFIDAVIT OF V.L.

STATE OF NEW YORK)
COUNTY OF ROCKLAND) SS:S.

V.L. having been duly sworn, hereby states and deposes under pain and penalties of perjury:

1. I am an adult of legal age and make this Affidavit on facts personally known to me as true.

2. I have two children at Green Meadow Waldorf School (GMWS) who have been negatively affected by Rockland County Department of Health's exclusion order. My daughter is 15 and in 9th grade and my son is 11 and in 5th grade. The GMWS parents received the Notice of Exclusion on Thursday, December 6th and my children were not allowed to go to school on Friday, December 7th which happens to be my son's birthday. It was very hard not to be able to send my son to school to celebrate his birthday with his friends.

2. We have been involved with Waldorf Education since 2006 when my daughter started at Kimberton Waldorf School in PA at the age of 2. We are firm believers in the developmentally appropriate education which is at the heart of Waldorf Education. We moved to Chestnut Ridge in 2012 specifically to be adjacent to Green Meadow Waldorf School. We believe in the principles of Waldorf Education including the education of the whole child – physical, social, emotional, and mental. The Exclusion Order has been so difficult because it

has impacted our children detrimentally on each of these levels - physical, social, emotional, and mental/academic.

3. During the Exclusion Order in December, my husband and I hosted the Excluded 5th grade students (9 total) at our house. We created a physical space for schooling the children in our home, put up a chalkboard, and reorganized our basement. We incurred expenses in order to do so. We also rotated hosting the three 9th grade Excluded students in another space within our home.

4. During the month of December, the community came together to support all the Excluded Families and Children. The children saw their Class Teacher for 2 hours every day in addition to daily tutoring which gave them a close replica of the education that they deserve and are entitled to under NY state law. Had the children gone back to school on January 7th, they would have experienced a minor disruption and also witnessed a community coming together to support them.

5. However, the defendant extended the Exclusion Order indefinitely and changed the requirements for the children to return to school. The indefinite Exclusion order and the changing requirements have taken an emotional toll on the children and families of GMWS. On October 22, a letter signed by both the DoH and Department of Education (DoE) was sent to GMWS informing them of the measles outbreak and possible actions. The letter stated, "For

schools that DO NOT have a positive measles case, the school should NOT exclude students who are unvaccinated (i.e., those that have a valid religious or medical exemption)." On December 3rd, the county department of health sent GMWS a letter imposing an Exclusion Order despite the fact that there has not been a single case of measles at the school. At this time, the Department of Health wanted a 70% vaccination rate. It was then raised to 80%. On December 21, the community was informed that the "School Exclusion Order will be lifted when your school reaches an immunization rate for MMR vaccine of 95%." We were told that the defendant was only tracking the Rubeola (measles) which is the strain of measles that is affecting people in New York. So why are we now being required to show a 95% MMR vaccination rate? If a child is immune to Rubeola, isn't that the health protection we want for the child and the community?

6. We were also told that the requirement was a case of measles in our school, then within close proximity, and then it was ratcheted up to a case of measles within our zip code. On February 8th, the Excluded Families received an email notifying us "unless Green Meadow reaches a 95% vaccination rate for MMR, no students will be permitted to return to school until the outbreak is declared over. The measles outbreak will be declared over when there have been no cases of measles in Rockland County for 42 days." There are other schools within Rockland County with vaccination rates below 95% that have not been issued an Order of Exclusion. How is this fair?

7. The emotional toll on parents and children to deal with the changing rules of the game have been enormous. How do we tell our children that rules are important and we need to follow the rules and then have the rules change, not one time, not two times, but multiple times?

8. The strategy that the Department of Health employed of an Exclusion Order did nothing to prevent the spread of the disease in Rockland County. Yet, our children were unfairly impacted by this Exclusion Order as there was never a case of measles on Green Meadow's campus and there are still no cases of measles on our campus. The DoH is operating under the assumption that they are protecting the public. Excluding our children from attending school on a SAFE campus where there are NO cases of measles and sending them out into Rockland County during the school day where there ARE cases of measles is not protecting our children.

9. When the Exclusion Order continued into January, the Excluded Families were detrimentally impacted. We no longer had the support of the Class Teachers for two hours a day, nor the other tutoring to support our children on a daily basis. While I tried to piece together some lessons for my 5th grade son, I am not a trained teacher. He was not getting the education he needs and deserves. He was suffering on a mental/academic level.

10. There was also an emotional toll as he didn't have the support of his teachers to guide him through his lessons. He wasn't with his friends at school

learning which affected him socially. I noticed him withdrawing and not wanting to be with his friends. He felt excluded. He was Excluded.

10. My 9th grade daughter suffered academically as her grades for her Main Lesson block in December were below her usual excellent grades. While she was able to livestream some of her classes, she was negatively impacted by not being in the classroom with her teacher and classmates. She could not always hear what was said, sometimes the teacher forgot to set-up the livestream, and she had trouble participating over the technology. It was important for my daughter to return to the high school; it was too much to miss the entire experience of high school – academic, social, emotional, and even her participation in sports.

11. We made a commitment to my daughter that she could return to school on January 7th. We tried to increase her immunity to measles but ultimately, she received the MMR vaccine on January 7th. Since her physical health is of the utmost importance, we did many interventions to help her body with the vaccine both before and after the actual shot. While I accept our choice to get the vaccination, it felt like we were coerced into making that decision. It did not come of our own free will.

12. Indeed, this decision violated my beliefs about vaccinations which are personal and specific to my children. I believe in my freedom of choice and

